

DEPARTMENT OF FOOD AND AGRICULTURE

WILLIAM (BILL) J. LYONS, JR., Secretary

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April 8, 1999

Mr. Lester Snow, Director
CALFED Bay-Delta Program
1416 Ninth Street, Room 1155
Sacramento, California 95814

Dear Mr. Snow:

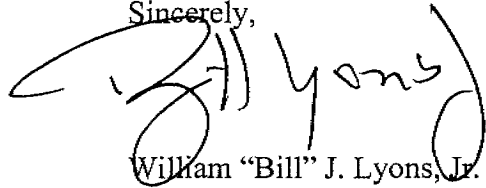
The California Department of Food and Agriculture (CDFA) is looking forward to working with CALFED in the final stages of preparation and review of the draft Programmatic Environmental Impact Statement/Report (PEIS/R) prior to its scheduled public release on June 25, 1999. I have assigned Mr. A.J. Yates, Mr. Robin Reynolds, and Mr. Steve Shaffer from my staff to work with CALFED and agency staff and managers at the meetings beginning May 5th where the draft PEIS/R will be finalized.

As you know, I am firmly committed to CALFED's success. A PEIS/R that is certified by the lead agencies and that meets the rigors of CEQA is critical to that success. With that in mind, I am submitting for consideration an issue paper entitled "Agricultural Impacts Mitigation Plan" to serve as a basis for inclusion of additional agricultural mitigation strategies in the PEIS/R. My staff firmly believes that the current agricultural mitigation strategies discussed in Section 8.1.4.10 do not meet CEQA requirements.

Under CEQA, CDFA is the Responsible Agency for the protection and preservation of agricultural resources. Since 1996, CDFA has provided scoping comments to CALFED pertaining to CEQA requirements for disclosure of impacts, the need for avoidance and mitigation of impacts to agricultural land and its productivity. The "Agricultural Impacts Mitigation Plan" summarizes those requirements and provides a foundation for a CALFED agricultural mitigation program at the programmatic level. The current strategy in the PEIS/R is not adequate to address cumulative impacts, as it relies on project-level analysis which my staff believes ignores the fundamental purpose of a PEIS/R under CEQA, and makes the entire CALFED Program vulnerable to legal challenge by members of the agricultural community.

My staff is ready and available to work with your staff to ensure that agricultural impacts and mitigation are discussed fully in the PEIS/R. Full CEQA compliance is the strongest assurance that the PEIS/R will be certified and will survive any and all legal challenges. This is fundamental to CALFED's success.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Lyons, Jr.", with a large, stylized initial "B" and a flourish at the end.

William "Bill" J. Lyons, Jr.
Secretary

Attachment